

CHIEF OF DETECTIVES

NOTICE 1.8

July 15, 2021

TO: All Concerned Personnel

FROM: Chief of Detectives

SUBJECT: EMERGENCY PROTECTIVE ORDER INFORMATION FOR OFFICERS

In response to frequently asked questions by patrol officers and feedback from domestic violence victims and service providers, an Emergency Protective Order (EPO) Frequently Asked Questions sheet was created for officers. This includes information on when to obtain EPOs and a detailed procedure. The information sheet is attached for immediate distribution. Also attached is a domestic violence resource list for officers to distribute to domestic violence victims. This list has several legal aid organizations who can assist victims with obtaining restraining orders.

If you have any questions, please contact the Domestic Violence Coordinator, Detective Bureau, at (213) 486-7000.



KRIS E. PITCHER, Deputy Chief
Chief of Detectives

APPROVED:



DANIEL RANDOLPH, Deputy Chief
Chief of Staff
Office of the Chief of Police

Attachments

DISTRIBUTION "D"

Frequently Asked Questions

Emergency Protective Orders

What is an Emergency Protective Order?

An Emergency Protective Order (EPO) is one type of a restraining order that can only be obtained by law enforcement. It may be requested if an officer believes that the person to be protected or their children is in immediate danger of violence, and the EPO is necessary to prevent future violence, abduction or injury. An EPO can be requested 24 hours a day, seven days a week. EPOs direct the person to be restrained to stay away from and have no contact with a victim or other protected persons. An EPO is valid for 5 business days or 7 calendar days.

Which cases are eligible for an EPO?

- Domestic violence
- Elder abuse
- Stalking
- Child abuse
- Child abduction

Who is eligible for protection of an EPO?

- Victim
- Children (to eliminate the use of children as collateral by suspect)
- Family members
- Pets

How does an EPO direct the restrained person?

- **From contacting or harassing** the protected person. (Texting, e-mailing, leaving messages, using a third party to contact the protected person).
- **Stay away order** from the protected person, their residence, their place of employment, the children's schools, etc.
- **Move out order** from residence shared with the protected person.
- **Temporary custody order** of children of the household, family member, or pets to a protected person.

Can officers issue an EPO if the protected person has left the home to avoid abuse?

- Yes, this has no influence on the availability of an EPO.

If the person to be restrained has been arrested, is an EPO still necessary?

- Yes, an arrest does not impact the need for an EPO, one does not know when the suspect/person to be restrained will be released.

Procedure

What is the procedure for officers to request an EPO?

- Officers should clearly explain to the victim what an EPO is, that it is one type of restraining order, and what it does. The victim may believe they were not offered an EPO at the time of the incident.
- Ask the victim if they would like an EPO. (If the victim declines, but the officer feels they are in immediate danger, the officer can still request an EPO from the judge for the victim.)

Frequently Asked Questions

- Fill out Judicial Council of California form EPO-001 at scene.
- Complete the "Application" portion of the EPO and include coercive control incidents, if applicable.

Examples of coercive control would be unreasonably doing the following: Isolating a victim from friends, relatives or support; depriving a victim of basic necessities; controlling, regulating, or monitoring a victim's daily behavior, finances or access to services; using force, threat of force or intimidation to engage in conduct from which the person has the right to abstain, threatening to expose victim's immigration status, sexual orientation, and/or criminal history.

- Call the following number to request an EPO: **(213) 974-1234**.
- Once the EPO has been granted by the court, officers are to personally serve the EPO to the person to be restrained, if the person can be reasonably located.
- Once the person to be restrained is served, ensure that the "Proof of Service" information is completed on the EPO form.
- Copies of the EPO should be given to the restrained person and protected person. The original is attached to the investigative report.
- Advise that an EPO is valid for 5 business days or 7 calendar days (determined by the judicial officer when granting the EPO).
- Advise the victim if they wish for a restraining order longer than the EPO, they must request a Temporary Restraining Order from the court.
- Review the EPO thoroughly with the victim, who could be in a traumatic state, so they hear, understand and remember the information.

Officer's Responsibilities

Should officers contact a DART (Domestic Abuse Response Team) if the victim is fearful and is uncooperative?

- Yes, contact the divisional DART unit if they are working. A domestic violence advocate may be able to provide resources and assistance.
- If DART is not working or unavailable to respond, fill out a referral if the victim consents, so they can be contacted within a few days. Distribute the attached domestic violence legal services resources if needed.
- Advise DART if EPO was obtained, so they can prioritize cases.

Do officers offer EPOs at all domestic violence calls?

- Yes, they **shall** be offered when a domestic violence crime has been committed or when a victim refuses an EPO, but the officer believes the victim is in immediate and present danger.
- An EPO can be requested regardless of when the crime occurred.

What should an officer do if an EPO is denied?

- If the victim declines, document the offer of the EPO and victim's denial in the report.
- If a judge denies an EPO, document the name of the judge and the reason the EPO was denied.

DOMESTIC VIOLENCE RESOURCES



**CALL OR TEXT 911
IN AN EMERGENCY**

HOTLINES

L.A. County Domestic Violence Hotline
1-800-978-3600

L.A. County Child Abuse Hotline
1-800-540-4000

L.A. County Elder Abuse Hotline
1-877-477-3646

SHELTERS

Haven Hills
24-hour hotline: 818-887-6589

Center for the Pacific Asian Family
24-hour hotline: 1-800-339-3940

Jenesse Center
24-hour hotline: 1-800-479-7328

Rainbow Services
24-hour hotline: 310-547-9343

Peace Over Violence
24-hour hotline: 310-281-2822

VICTIMS OF CRIME

The Office of Mike Feuer
Los Angeles City Attorney
www.lacityattorney.org/resources

The Office of Eric Garcetti
Los Angeles Mayor
<https://corona-virus.la/DVResources>

LEGAL AID

LA County Bar Association
Mon - Fri, 8am-4pm
in-person restraining order support
213-624-3665

Break the Cycle (ages 12-24)
call or text: 424-209-2532

Community Legal Aid SoCal
800-834-5001

Legal Aid Foundation of L.A.
DV hotline: 1-800-399-4529 x8097

LGBTQ Center Long Beach
562-433-8595

Neighborhood Legal Services of L.A.
1-800-433-6251

Saahas for Cause (Hindi, Urdu, Punjabi, Gujarati, Marathi, Bengali, Malayalam, Tamil, Odia)
562-526-2508

Sojourn
310-264-6644

Asian Americans Advancing Justice
Chinese: 1-800-520-2356
Korean: 1-800-867-3640
Thai: 1-800-914-9583
Tagalog: 1-855-300-2552
English: 1-888-349-9695



Mike Feuer
LA City Attorney



City of Los Angeles

**Eric
Garcetti**
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